

## **MINUTES OF THE HOWARD COUNTY PLANNING BOARD – January 11, 2007 P.M.**

Members Present: Tammy CitaraManis, Chairperson; Vice-Chair; David Grabowski; Linda Dombrowski; Gary Rosenbaum

Members Absent:

DPZ Staff Present: Marsha McLaughlin; Jeanette Anders; Lisa Kenney

Office of Law Present: None

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### **Pre-Meeting Minutes**

The Board discussed changing the order of the agenda. They also discussed changes to previous meeting minutes as well as tabling the minutes of 10/12/06 and 11/9/06 due to Ms. Dombrowski's absence.

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### **Minutes**

No minutes were voted upon.

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Ms. CitaraManis opened the public meeting at approximately 7:05 p.m.

### **PUBLIC MEETINGS**

#### **Site Development Plans**

##### **ASDP-04-158, Village of Wilde Lake, 10559 Rivulet Row**

Presented By: Jeanette Anders  
Petition and Location: For Planning Board approval to exceed the FDP Phase 2-A-VIII maximum lot coverage of 30% to allow 36.9% coverage for a house under construction and two decks, per Zoning, Section 125.E.4.a.  
DPZ Recommendation: Approval  
Petitioner's Representative: John F. Stewart

Ms. Anders gave an overview of the proposed plan for the addition of two decks to a home already under construction. She explained that due to the overhangs on the home and the decks being proposed the plan would exceed the lot coverage allowed. She explained the location of the decks and topography of adjacent lots. She explained that the Village Board had approved the plan and that several neighbors submitted letters in support of the plan.

Mr. Rosenbaum asked if the concrete patio was included in the lot coverage and Ms. Anders answered yes.

Mr. Stewart spoke and stated that he had lived in the original house for 30 years and that due to recent lifestyle changes, including getting married, the old house was incompatible with his family. He further stated that he loved the location of the home so he decided to build a larger home in the same location. Mr. Stewart explained that he was new to the process and that he depended on others for information on how to proceed.

Ms. CitaraManis questioned Mr. Stewart regarding the size of the decks in comparison to others in the area and she also questioned if he had a landscaping plan. Mr. Stewart stated that the decks were in proportion with others in the area and that he had an extensive landscaping plan that has been approved by the Village Board.

Ms. Anders stated that during the review process, for the decks, the lot coverage calculation error of omitting the roof overhangs was discovered.

Mr. Rosenbaum questioned why the decks were not included in the original plan. Mr. Stewart stated that the house was built as funds were available and that he was not entirely sure he would have the resources to build the decks.

Ms. CitaraManis asked Mr. Stewart if he knew that when the decks were put into the plan that he would exceed the lot coverage allowed. Mr. Stewart explained that he did know he would eventually need to come before the Board to ask for an exemption.

Mr. Howard Saslow of 7520 Main Street, Sykesville, Maryland, the builder, spoke in support of the plan stating that throughout the planning of the home, the Petitioner was very concerned how the neighbors would be affected. He further stated that he was unaware that overhangs were included in the lot coverage and that he has been building in Howard County for 20 years and this was the first time this particular issue has been brought to his attention. Mr. Saslow explained that the decks are located on the back of the home and that they are not visible from the road.

Mr. Karl Schroeder of 10555 Rivulet Row spoke in support of the plan stating that the Petitioner had been very accommodating and that the decks cannot be seen from his property and that the house was not encroaching and that it only adds to the property values of the neighborhood.

Mr. Carl Callis of 10563 Rivulet Row spoke in support of the plan stating the had lived there since 1967 and that his view is to the lake and that he would only see a small portion of the deck from his property. He stated he had no objection to the plan as proposed.

Ms. Pat Dunford of 10551 Rivulet Road spoke in opposition of the plan stating her concerns that her view would be obstructed and the disregard for the 30% lot coverage.

Ms. Constance Patania of 10545 Rivulet Row spoke in opposition to the plan, stating her concerns the home being larger by adding the decks and it would be out of character with the neighborhood and that allowing the decks would set a precedent for others to seek the lot coverage exception.

Ms. Joyce Ardo of 10537 Catterskill Court spoke in opposition to the plan stating her belief that the Village Board Architectural Committee approved the plan based on covenants and the outcome of the public meeting. She further stated her concerns that the house was out of character with the neighborhood and that the decks would encroach into open space.

Mr. Dave Cooper of 10533 Catterskill Court spoke in opposition to the plan representing his mother, Jeanne Cooper, and reading her statement of opposition. Mr. Cooper stated that the decks would be an eye sore and that it blocks the view of the trees.

Mr. Chris Dunford of 10551 Rivulet Row submitted written testimony stating that there would be very little green space on the lot if the decks were approved.

Mr. John Stewart stated that the plan was approved by the Architectural Committee without caveats.

Ms. CitaraManis asked Mr. Stewart for his response if the decks were to be cut off at the footprint of the house and Mr. Stewart responded that the decks are designed to be proportionate with the house and cutting them off to be flush with the footprint would not look right.

Ms. Dombrowski questioned the type of railing to be used on the decks and Mr. Stewart stated that the railing would be baluster and not paneling.

**Motion:**

Mr. Rosenbaum moved to approve ASDP-05-158 as stated in the staff report. Mr. Grabowski seconded the motion.

**Discussion:**

Mr. Rosenbaum stated that initially an error was made by staff regarding the lot coverage numbers. He stated that the Petitioner tried to accommodate neighbors by citing the house further from the front lot line and that adding the decks would be a better design and allows the homeowner to fully utilize their property.

Ms. Dombrowski stated that the process exists to go over the 30% lot coverage and that an error was made by Staff. She further stated that the decks are in keeping with other decks in the neighborhood.

Mr. Grabowski stated his belief that the decks don't have much of an impact and that they do not adversely affect on the neighborhood.

**Vote:**

4 Yea 0 Nay. Motion was carried.

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Ms. CitaraManis opened the Public Hearing at approximately 8:50 p.m.

**PLANNING BOARD CASE**

**PB 377 – SDP-06-15 Grovemont Overlook**

Presented By:	Jeanette Anders
Petition and Location:	For Planning Board approval of 33 residential lots and 3 open space lots in a Residential-Environmental Development Zoning District, on land belonging to Jericho LLC and Harry F. Geelhaar, Jr. located in the First Election District, in the 5300 block of Landing Road between Illchester Road and Norris Lane, containing about 17.87 acres.
DPZ Recommendation:	Approval
Petitioner's Representative:	Robert Vogel, Vogel Engineering

Ms. Anders gave a brief overview of the proposed plan for 33 single family detached lots. She explained the topography of the lot and adjacent parcels.

Mr. Rosenbaum questioned a comment in the staff report about the Division of Land Development's concern regarding the number of lots. Ms. Anders explained that the regulations only allow six lots on a shared driveway and that the plan was changed accordingly.

Mr. Rob Vogel of Vogel Engineering was sworn in and entered as Petitioner's Exhibit Number 1, Sheet 3 of the Site Development Plan. Mr. Vogel stated that site was engineered to preserve forest areas and environmental features existing on the parcel. He explained the plan for extensive buffering between adjacent parcels and the subject parcel. He also stated that an existing easement would be preserved and that an additional access would be provided via a use-in-common driveway to a public road within the subdivision.

Ms. Kathy Hudson of 6018 Old Lawyers Hill Road asked Mr. Vogel several questions regarding the existing driveway, the 40 foot right-of-way and a road connection through the State Park to Belmont. Mr. Vogel explained that the existing paving would be removed and housed will be connected via a new roadway. He also stated that the County standards require the 40 foot right-of-way and that he had no knowledge or plan for road connection to Belmont.

Ms. McLaughlin clarified that a road connection to Belmont was considered but not pursued.

Ms. Terry Geelhaar spoke and asked for clarification regarding the abandonment of the existing easement and Mr. Vogel explained that there would be no development over the easement. Ms. Geelhaar also asked if she would ever be restricted from subdividing her property adjacent to the development parcel. Mr. Vogel answered no.

Mr. Rosenbaum asked the potential of the development of Lot 2 and Mr. Vogel stated that 1 additional house could be built.

Ms. Dombrowski asked for specifics regarding proposed forest mitigation. Mr. Vogel explained in detail the areas set aside for plantings and forest retention.

Mr. Rosenbaum questioned the use of cul-de-sacs instead of use-in-common drives and Mr. Vogel explained that the goal was to minimize roads and grading disturbance.

Ms. Kathy Hudson of 6018 Old Lawyers Hill Road was sworn in and asked the Board to recommend that access to Belmont not be granted though the proposed development.

**Motion:**

Mr. Grabowski moved to accept the staff recommendation for SDP-06-015. Ms. Dombrowski seconded the motion.

**Discussion:**

Mr. Grabowski stated that the plan was well thought out and maintains the scenic road.

Ms. Dombrowski stated that the plan was in tune with the topography and environmental area and that the Petitioner proposed less lots than allowed to be built. She requested that the Petitioner alleviate Ms. Geelhaar's concern about abandonment of her existing access easement.

Mr. Rosenbaum stated that the plan meets requirements of R-ED development.

Ms. CitaraManis stated her concern regarding a road connection through the State Park to Belmont.

Ms. McLaughlin stated that the request for a road connection has not been made. She further stated that if the plan needed to change to create a road connection, the plan would come before the Board again.

The Board reserved the right to review Site Development Plans.

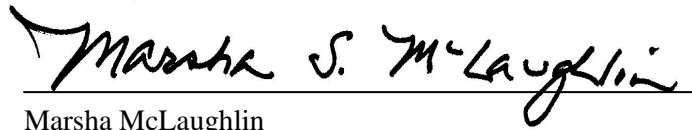
**Vote:**

4 Yea 0 Nay. Motion was carried with noted condition.

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THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT  
APPROXIMATELY 9:45 P.M.



Marsha McLaughlin  
Executive Secretary



Lisa Kenney  
Recording Secretary

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